

Interim Report of the Board of Directors

Ronald D. Murdock, Chairman
Program Manager, Standards Division
North Carolina Department of Agriculture

Reference
Key Number

100 Introduction

The Board of Directors (BOD) submits its Interim Report for consideration by the National Conference on Weights and Measures (NCWM). The Report summarizes the items discussed and actions proposed by the BOD during its Interim Meeting in Bethesda, MD on January 27 to 30, 2002. The Report contains items related to the management of NCWM and the National Type Evaluation Program (NTEP). Items addressed by the NTEP Committee can be found in a separate report (the 500 Series). Subject series are indicated by title and page number. There are no voting (V) items. All items are information (I) only.

Table A
Index to Reference Key Items

Subject	Series	Status	Page Number
NCWM Operations and Policies	101 Series	I	2
Future Meetings and Events	102 Series	I	4
Financial Issues	103 Series	I	5
Strategic Plan	104 Series	I	6
NTEP Administration	105 Series	I	7
Liaison With Other Organizations	106 Series	I	9
Other Items	107 Series	I	11
General Membership Voting Items	108 Series	--	--

Table B
Appendices

Appendix	Title	Reference Key No.	Page
A	Report on the Activities of the International Organization of Legal Metrology (OIML) and Regional Legal Metrology Organizations	106 Series	12

Details Of All Items

101 I NCWM Operations and Policies

New Appointments to Committees/Sectors

The following are appointments that NCWM Chairman Ron Murdock and NTEP Committee Chairman Louis Straub made as of January 31, 2002:

NCWM Board of Directors: Don Onwiler, NE, replacing Darryl Brown, IA
 NCWM S&T Committee: Mark Buccelli, MN, replacing Constantine Cotsoradis, KS
 NCWM L&R Committee: Vicky Dempsey, Montgomery County, OH, replacing Don Onwiler, NE
 NTEP Grain Moisture Meter Sector: Alan Lundstedt, Cognis QTA
 NTEP Measuring Sector: Mike Gallo, Dresser Wayne

Board Governance Workshop

A Board Governance Workshop will be held for the Board of Directors prior to the Annual Meeting on Saturday, July 13, 2002. All incoming Committee Chairs will be invited to attend. Other members interested in future volunteer leadership positions are also encouraged to attend. If you are interested in participating, you must register in advance. Contact NCWM Headquarters office for details.

In June, Chairman-Elect Ross Andersen and Executive Director Beth Palys will attend the CEO Symposium sponsored by the American Society of Association Executives.

NCWM staff was directed to put together orientation materials for new Board members.

NCWM Newsletter

The Board of Directors discussed a request from a field inspector to include material in the NCWM newsletter that is relevant to field inspectors. There were several suggestions as to how to obtain articles of interest to inspectors. These included articles from regional newsletters, developing questions to which inspectors could respond and have the responses published in the newsletter, and articles supplied by the Administration and Public Affairs (A&P) Committee. The Board noted that the newsletter is a 'work in progress' and will continue to evolve over time. The Board encourages feedback from the membership regarding how the newsletter can better meet their needs. The Board also discussed whether or not the NCWM would ultimately need an Editorial Review Board to review articles proposed for the newsletter.

Publications & Handbooks

The Board of Directors had received some requests from State Directors regarding Publication 5. The hard copy publication of Pub 5 was discontinued because the information is on the NCWM or NIST OWM website. Concern was expressed that the information on the NIST OWM website is not current since much of the information has not been updated since the transition of NTEP management from NIST OWM to NCWM. The Board directed staff to send out a needs assessment email survey to State Directors to determine what information is needed, in which format, and how frequently it should be made available. The Board will review the responses at its next Board meeting.

The Board of Directors expressed concern to Henry Oppermann, Chief, NIST OWM, that Publication 15 was so late in getting to members. Henry Oppermann indicated that Pub 15 had been ready to print on December 5th and was posted on the NIST OWM web site at that time. However, publication of the hard copy of Pub 15 was delayed due to other NIST publications being in the queue and giving priority to printing Handbooks 44 and 130. In future years, Publications 15 and 16 will be posted on both the NCWM and NIST OWM websites and meeting brochures will include information that the publications can be found on the websites.

Henry Oppermann asked the Board of Directors if they objected to NIST OWM preparing and distributing electronic versions of the reports of the NCWM from 1905 to the present. The Board responded that NIST OWM could put the reports in electronic format for the 2001 Annual Meeting and Annual Meetings prior to 2001. However, the Board of Directors reserved the right to discuss future Conference proceedings at a later date.

The Board of Directors discussed creating enhanced (hypertext) copies of Handbook 44, Handbook 130, and Handbook 133. Please refer to Series 104 for more information.

Management Company

The Board of Directors selected a subcommittee of the Board to conduct an annual review of the management company during the Spring Board meeting. Ross Andersen, Tom Geiler and Mike Pinagel were selected as subcommittee members. The entire Board will provide feedback to the subcommittee prior to the review.

Consultants

The Board discussed the selection process used for choosing consultants, i.e., auditors, attorneys, board and strategic planning facilitators. For future contracts, staff was asked to provide a choice of three consultants so that the Board can make a final selection.

Membership Report

The total NCWM membership as of January 2, 2002, is 2745. The membership breakdown by category is as follows:

State Government	915	Associate Members	930
Local Government	586	Foreign Associate	21
U.S. Government	41	Retirees	233
Foreign Government	19		

Website

The Board of Directors reviewed and affirmed the current website posting policy. The current policy is that anything to be posted on the NCWM website must first be reviewed and approved by the NCWM Board of Directors. The Board is looking at the website as another means of enhancing the value of membership in the NCWM. Therefore, certain items may be placed in the 'members only section' available only to members of NCWM. Members can obtain the current passwords to the 'members only' section by contacting the NCWM Headquarters office.

The A&P Committee requested that the training material developed by the Gasoline Pump Manufacturers Association for gas pump service technicians be placed on the NCWM website. The Board approved and directed staff to post the training material.

Publications 15 and 16 will be provided to NCWM by NIST OWM for posting to the NCWM website.

Mentoring

The Board reviewed the challenge of increasing participation in NCWM activities. Restricted travel budgets, the recession, and the events of 9/11 are not helping the situation.

Associate Membership Committee Report

The Associate Membership Committee met during the afternoon of January 23, 2002. The minutes of the July 23, 2001, meeting held in Washington, DC, were approved as distributed. The financial report was presented and the following allocations were approved.

The AMC will make available to the NCWM the amount of \$14,000 to be administered by the A&P Committee for training scholarships for the 2002 fiscal year. The AMC Board will approve the monies and make the funds available.

The AMC will make available to the NCWM a maximum sum of \$10,000 for the 2002 Annual Meeting Outing. In the event that the standard 60% contribution does not require the complete \$10,000 the remaining funds are to be returned to the AMC.

David Quinn reported on the activities of the Board of Directors. He reported on the issues of holding association meetings during the Conference and the cost of the meeting rooms. The AMC membership believes that better scheduling of the various meetings would make better use of meeting room space. The membership also felt that this scheduling could be left to the meeting planner, providing the timing of the meetings was considered. The membership also discussed the cost of non-conference meeting rooms and felt that the AMC should consider paying these fees. David was asked to work with the BOD to determine an estimated cost or possibly a fixed fee. David also informed the membership that the NCWM strategic plan is available on the NCWM website and encouraged everyone to read it.

Chris Guay reported on the activities of the Laws and Regulations (L&R) Committee. His report included comments on voting item 250-1 as it relates to the revised Handbook 133. Chris also reported on the International Packaging and Labeling Seminar held in December 2001 in Miami, FL. He asked the membership to bring forward any questions, concerns, or general input anyone had on multi-national labeling.

Chip Kloos reported on the activities of the A&P Committee. Chip, along with Jerry Flanders, discussed the need for reevaluating the timing and procedure regarding the issuance of AMC training funds made available to the States. Jerry noted that the current procedure for requests allows a window of only 5 months from the deadline until receipts for payment are due. The Associate Committee membership agreed on a new procedure to review financial statements and determine the amount of funds available to allocate for scholarships at the end of the fiscal year (September 30). The AMC Executive Committee will convene a teleconference shortly after the close of the books and convey the amount of funds available for scholarships to the A&P Committee rather than waiting until the Interim Meeting. This will permit more time for the use of the funds. All members present agreed on this.

102 I Future Meetings And Events

As of January 30, 2002, the plans for future meetings are as follows:

NCWM Annual Meetings

- | | | |
|--------|------------|--|
| • 2002 | July 14-18 | Omni Netherland Hotel, Cincinnati, OH |
| • 2003 | July 13-17 | John Ascuaga's Nugget Hotel, Sparks, NV |
| • 2004 | July 11-15 | Hilton Pittsburgh & Towers, Pittsburgh, PA |

NCWM Interim Meetings

- | | | |
|--------|---------------|---|
| • 2003 | January 12-15 | Omni Jacksonville Hotel, Jacksonville, FL |
| • 2004 | January 25-28 | Bethesda Hyatt, Bethesda, MD |

NTEP Lab & Sector Meetings

- | | | |
|-----------------------------|--------------------------------|---------------------------------------|
| • NTEP Laboratory Meeting | June 9-12, 2002 | Hilton Garden Inn, Albany, NY |
| • Grain Moisture/NIR Sector | August 21-23, 2002 | Chase Suites Hotel, Kansas City, MO |
| • Weighing Sector | September 29 - October 1, 2002 | Sheraton Barcelo Hotel, Annapolis, MD |
| • Measuring Sector | October 11-12, 2002 | Omni Richmond Hotel, Richmond, VA |

NCWM Board of Directors Meetings

The Board of Directors will meet on April 15-16, 2002, at NCWM Headquarters in Rockville, MD. A Board Governance Workshop will be held prior to the Annual Meeting on Saturday, July 13, 2002. The Board of Directors will also meet at the NCWM Annual Meeting in Cincinnati, OH.

Registration Fees

The Board of Directors approved a one-time reduced Observer registration fee of \$125, exclusive of the Special Event, for the 2002 Annual Meeting for first-time member attendees from the region where the meeting is taking place. Observers will not have voting rights.

Hotel Rates

The Board of Directors raised the concern that many States, as well as industry, are experiencing reduced and restricted travel. This may have an impact on future attendance at meetings as well as the ability of attendees to stay at Conference hotels. Staff indicated that all future hotels, with the exception of the 2002 Annual Meeting, are contracted at Federal government per diem rates.

Space Utilization at Meetings

The Board of Directors discussed the meeting space needs for both the Interim and Annual Meetings. Because both meetings are so space intensive, NCWM is limited to hotels that can accommodate the meeting needs. NCWM staff negotiates for all space as part of the NCWM package. The meetings of allied associations at NCWM meetings were discussed. Staff was asked to provide a breakdown of the costs of these meetings. The Associate Membership Committee indicated their preference to help defray those costs from the Associate Member Fund rather than from each association.

103 I Financial Issues

Audited Financial Statement

The accounting firm of Dembo, Jones, Healy, Pennington & Marshall, P.C. conducted an annual audit of NCWM, Inc. The following is from their audited Financial Report dated September 30, 2001.

National Conference on Weights & Measures, Inc. Balance Sheet as of September 30, 2001

Assets

Current Assets

Cash and cash equivalents	707,032
Prepaid expenses	<u>\$ 3,342</u>
Total assets	\$710,374

Liabilities and Net Assets

Current Liabilities

Accounts payable	\$ 15,112
Deferred dues revenue	<u>\$151,420</u>
Total Liabilities	166,532

Net Assets

General Activities	\$517,086
Associate Funds	\$ 26,756
Total Net Assets	\$543,842
Total liabilities and net assets	\$710,374

National Conference on Weights & Measures, Inc.**Statement of Activities ending
September 30, 2001****Revenue and Support**

Dues – government	\$ 81,535
Dues – associate	\$ 58,905
Associate member fund	\$ 17,760
NTEP	\$356,743
Interim Meeting Fees	\$ 22,830
Annual Meeting Fees	\$ 70,905
Publication Sales	\$ 16,788
Interest	<u>\$ 27,078</u>
Total Revenue and Support	\$652,544

Expenses**Programs**

Membership	\$ 8,441
NTEP	\$362,824
Interim Meeting	\$ 35,237
Annual Meeting	\$ 89,183
Publications	\$ 21,112
Newsletter	<u>\$ 13,167</u>
Total Programs	\$529,964

Management and general

Management fees	\$ 51,534
Board of Directors	\$ 21,642
Associate fund	\$ 15,188
Website	\$ 12,301
Strategic planning	\$ 12,044
Bank fees	\$ 5,571
Legal & accounting	\$ 5,024
Telephone	\$ 2,339
Insurance	\$ 1,928
Printing	\$ 804
Office supplies	\$ 667
Miscellaneous	<u>\$ 523</u>
Total Management & General	\$129,565

Total Expenses \$659,529

Change in net assets (6,985)

2002 Budget**Revenue and Support**

Dues – government	\$ 82,000
Dues – associate	\$ 58,600
Associate member fund	\$ 17,580
NTEP	\$437,800
Interim Meeting Fees	\$ 22,375
Annual Meeting Fees	\$ 80,000
Publication Sales	\$ 17,500
Interest	<u>\$ 30,000</u>
Total Revenue and Support	\$745,855

Expenses**Programs**

Membership	\$ 10,865
NTEP	\$387,350
Interim Meeting	\$ 50,150
Annual Meeting	\$ 98,475
Publications	\$ 17,600
Newsletter	<u>\$ 18,410</u>
Total Programs	\$582,850

Management and general

Management fees	\$ 40,000
Board of Directors	\$ 31,475
Associate fund	\$ 20,500
Committee contingency fund	\$ 1,500
Website	\$ 12,060
Bank fees	\$ 2,700
Legal & accounting	\$ 9,000
Telephone	\$ 2,200
Insurance	\$ 2,500
Printing	\$ 1,200
Office supplies	\$ 600
Miscellaneous	\$ 800
Storage Space Rental	<u>\$ 1,100</u>
Total Management & General	\$125,635

Total Expenses \$708,485

Change in net assets \$ 37,370

The Board will provide an overview of NCWM's finances at the Annual Meeting in Cincinnati, OH.

104 I Strategic Plan

The National Conference on Weights and Measures, Inc.'s strategic plan is posted on the NCWM website. The Board of Directors reviewed the strategies that they had identified as priorities for the coming year.

Strategy C4. "Collect basic statistical and summary data on the scope of weights and measures programs, so all fifty states have the background knowledge and credibility to promote weights and measures." The first phase will be to survey

the states to see how data is currently being collected. The second phase is to achieve consensus on how the data *should* be collected. Ross Andersen has asked the following people to serve on that workgroup: Ken Wheeler, OH; John Tillson, MS; Mike Sikula, NY; and Craig Leisy, City of Seattle, WA. The long-term goal is to provide data that programs can use to illustrate the value of W&M to our local, state, and national economies.

Strategy B5. “Explore developing a multi-tiered certification program.” NCWM is exploring national training programs as well as certification. NCWM would take the lead role in voluntary assessment. The Board suggested that NCWM and OWM could work together to determine the ‘curriculum’ of what a weights and measures official should know. Henry Oppermann indicated that OWM would be willing to participate, provided that NCWM takes the lead role in what would be an NCWM project.

Strategy A1. “Involve NCWM in International Organization of Legal Metrology (OIML) activities to work toward the harmonization of U.S. and International Standards.” Chuck Ehrlich, Chief, Technical Standards Activities Program/NIST encouraged the Board of Directors to participate more at OIML meetings. NCWM will be asking other technical groups to report back to NCWM on discussions related to U.S. issues. The U.S. Working Group level was identified as the arena where NCWM wants to have influence.

Strategy A2. “Jointly identify the appropriate roles for NCWM, NIST and other key stakeholders in advancing weights and measures.” Ross Andersen, Lou Straub, and David Quinn, representing the NCWM Board of Directors, met with Henry Oppermann, Chief, Office of Weights and Measures, and key OWM staff on December 5, 2001, to begin discussions on this issue. Both parties agreed that future meetings are necessary and the Board of Directors allocated funds for another meeting.

Strategy A3. “Revise the standing committee operation to utilize work groups to develop consensus and background materials to more effectively support informed decisions.” In addition to the standing committee structure, the Board, through Chairman-Elect Ross Andersen, has begun to put together small working groups to support the work of the strategic plan and to support the standing committees. The Board has also asked the Enhanced Meat Products Work Group for an action plan.

Strategy B3. “Develop new publications – some that will produce net, non-dues revenue.” The Board of Directors is exploring the possibility of creating hypertext editions of Handbooks 44, 130 and 133. When asked, Henry Oppermann indicated that OWM is not planning to create hypertext editions of the handbooks.

105 I NTEP Administration

NTEP Scope and Purpose

The Board of Directors explored the dividing line between NTEP and Handbook 44 issues/questions. The Board affirmed their commitment to answering all NTEP questions. However, the NTEP Director was hired to manage the NTEP program and not to replace the technical advisers at NIST. The Board also made a commitment to resolve issues brought before NTEP by either getting the question answered or referring the issue to the right source.

NTEP Travel Issues

The Board of Directors discussed funding for NTEP lab representatives to attend the sector meetings. The Board of Directors had reached a decision at the 2001 Annual Meeting to limit the number of labs funded to attend the sector meetings. However, in a conference call following that meeting, the Board decided to postpone the implementation of that decision. Their concern was that the Labs had not been given sufficient notice to be able to budget for this travel. The Board will review the issue prior to drafting the 2003 budget.

The Board discussed the funding of public member travel to the Grain Moisture Meter (GMM) Sector. There was concern about the impact that NCWM can have on the program. Diane Lee shared her concern with the Board that they need to consider the impact of grain moisture measurements and not simply the number of meters. The Board directed staff to conduct a cost analysis of the GMM Sector and report back to the Board at the next meeting.

Publication 14

The Board discussed the recommendations presented by the NTEP Sectors for changes to Publication 14. Recommendations for each section, grain moisture/near infrared devices, measuring devices, and weighing devices were reviewed. The NTEP Committee approved the recommendations of the Sectors. Changes will be included in the 2002 version of Publication 14.

Effective Status of Certificates of Conformance

Several companies expressed concerns regarding the change in the markings required by Handbook 44. This change will require the NTEP Certificate of Conformance (CC) number be permanently marked on each device. The companies indicated that a mechanism is needed to provide the Certificate number immediately upon the successful completion of the evaluation. Stephen Patoray presented a proposal that would require a draft Certificate of Conformance to accompany the application for an NTEP Evaluation to speed the issuance of Certificates. This proposal will be finalized and the detailed recommendation will be presented to the NTEP Committee for consideration at their next scheduled meeting.

Mutual Acceptance Agreements (MAAs)

The Board is exploring the potential of developing test data exchange agreements with countries other than Canada. The NCWM is using its experience with Canada in its approach and is also watching closely the work toward international MAA's. The United States (see TSAP report in Appendix A) is currently chairing the OIML work group developing a standard for mutual acceptance of type evaluation test data. While much of the present discussion has focused on an agreement with Germany's Physikalisch-Technische Bundesanstalt (PTB), the Board is not looking to limit itself to agreements with only one country.

The initial work with PTB has centered on an MAA for load cells. Because international load cell intercomparisons have already been done within OIML, the NIST Mass and Force Group (an NTEP Participating Lab) potentially has the ability to demonstrate competence to the satisfaction of PTB and other countries. NTEP would also consider moving toward MAAs for non-automatic weighing instruments, where our participating labs presently have the capability to perform the tests to R-76 requirements.

The Board met with the NIST Mass and Force Group, OWM, and TSAP representatives at the Interim Meetings to discuss some of the issues that may arise from an MAA. These discussions covered a wide range of topics that would need to be addressed in negotiating and managing an MAA. The NCWM assured the Force Group that it would be acting as a Participating Laboratory and would not be required to be a signatory to any MAA.

Lou Straub and Steve Patoray met with Renald Marceau and Alain Casademont, Measurement Canada, to discuss a two-year pilot MAA for liquid-measuring devices with NCWM. The Gas Pump Manufacturers Association (GPMA) was represented by Mike Gallo, Gordon Johnson, Richard Tucker, and Mark Joelson.

Automatic Weighing Systems Code

There is a need to reconvene the Automatic Weighing Systems Code workgroup to work on Handbook 44 issues with ramifications on type evaluation. The purpose of the meeting will be to come up with a proposal for changes to Handbook 44 that can then be given to the Specifications and Tolerances (S&T) Committee. NCWM will host the meeting and fund travel for the Ohio Lab to travel to Maryland. The NTEP Director will also attend the meeting.

Conformity Assessment

The Board discussed conformity assessment. Conformity assessment is viewed as a means to make certain that quality control standards to ensure compliance with Handbook 44 are in place. Stephen A. Patoray, NTEP Director, indicated that it is his intention to complete the conformity assessment work this year. This is important to the device manufacturers so that they get a clear picture of what the program will be. A work group is being formed and several members have already been named representing a wide range of device manufacturers. In the selection process, NCWM wants members of the work group to be representative of different device types and sizes of manufacturers.

NIST Force Group

A meeting was held with representatives of NCWM, NIST OWM, and the NIST Mass and Force Group. The purpose of the meeting was to discuss questions and concerns related to possible bi-lateral agreements between NCWM and any other country. After significant discussion, many of the questions and concerns were answered; however, several specific questions remain to be answered in future discussions with any country wishing to enter into a bi-lateral agreement with NCWM.

106 I Liaison With Other Organizations

OWM/NCWM

Henry Oppermann, Chief of the NIST Office of Weights and Measures (OWM), provided a status report on OWM activities and support that OWM and NIST provide to the Conference. Highlights of his report are as follows:

1. Based on discussions at the two workshops for weights and measures (W&M) administrators held this past fall, OWM will contract for a study of the national weights and measures system to examine how the marketplace and weights and measures programs have changed. The scope and details of the study have not been developed in detail, but included in the study will be:
 - how weights and measures programs vary across the country;
 - compliance levels for jurisdictions across the country;
 - how their budgets and staffing has changed over a 10-year period;
 - how the business community regulated by W&M has changed;
 - how the focus of device manufacturers and consumer product companies has changed as the market has changed; and
 - the level of interest of companies in the use of international standards for devices and package labeling.
2. OWM is preparing a summary of the topics and ideas discussed at the two workshops for weights and measures administrators held last fall. This summary will be a reference document for some of the current and complex issues confronting W&M administrators today.
3. The OWM revision of the examination procedures outlines (EPOs) has been completed and is in the review process for publication. The Handbook 44 references in the EPOs have been updated. The revised EPOs will be available this spring.
4. The template quality manual for NTEP laboratories is finished and in the final review process before publication. This template should be available this spring.
5. OWM will coordinate an NTEP laboratory intercomparison on a price-computing scale. The NTEP labs will be asked to apply the NTEP checklist and performance tests to the scale. The scale will be shipped to the first NTEP lab in the next two months.
6. OWM and TSAP are working with the NCWM and NTEP labs to define the technical support and procedures necessary to implement the bilateral agreements under consideration by the NCWM regarding the acceptance of type evaluation test data. The implementation of these bilateral agreements is expected to require significant staff resources to implement effectively.
7. The NIST Work Group on Weight Carts continues to develop specifications for weight carts used to test large capacity scales. The objective is to develop design specifications that reduce the weight variability of weight carts, thereby reducing the uncertainty associated with the use of weight carts to test scales. The specifications being developed will be published as part of the NIST Handbook 105 series for field standards.

8. The ASTM committee on fat-measuring devices is active. Four subcommittees have been formed, staffed, and are working via e-mail to develop draft documents. Meetings for all four subcommittees will be scheduled, probably before the end of June.
9. OWM will participate in a training seminar developed by the National Weighing and Sampling Association, which is scheduled for April 7-11. Dick Suiter and Steve Cook will be part of the program. As part of their preparation for this course, they are developing draft field reference manuals for belt-conveyor scales and hopper scales. [Note: This seminar was cancelled in March 2000.]
10. The NIST Metric Program has drafted and submitted suggested changes to the Fair Packaging and Labeling Act (FPLA) to give packagers the option to label consumer packages in either dual units or metric-only quantity statements. The Metric Program staff is meeting with companies, industry trade associations, and federal agencies to discuss the proposed changes, identify any concerns that these groups may have about the proposed changes, and identify their levels of interest and support for these changes. They are also exploring other projects such as the development of guides for labeling and unit pricing that would facilitate the transition to metric-only labeling.
11. The Metric Program will be contacting State weights and measures directors in States whose laws do not permit metric-only labeling to encourage them to change their laws to give packagers the option to label packages in either dual units or metric-only quantity statements.
12. Resolutions adopted at the SIM Packaging and Labeling Workshop in December 2001 support the use of labeling in metric-only units and the simplification of the net quantity statement on products sold throughout the Western Hemisphere. OWM will work with TSAP to pursue the implementation of these two resolutions.
13. The CD-ROM training course for laboratory mass calibration is nearing completion. This project is much more complex than originally anticipated, but the work is progressing well. We expect to distribute the final product to State W&M laboratories by early summer.
14. The development of the CD-ROM training course on audit trails is well underway. It is based on the OWM training course conducted in Spring 2001. The CD-ROM course should be completed by this fall.
15. OWM will work with TSAP to promote the alignment of U.S. and OIML standards. Canada is also looking at closer alignment with some OIML standards, particularly related to R117. The NCWM strategic plan states its intent to increase its involvement in the review and development of U.S. positions on OIML documents and recommendations. Various sectors of the weighing and measuring industry have expressed their desire to see alignment of U.S. and OIML standards. Consequently, OWM will take steps to move toward this goal.
16. OWM has contracted with Paul Chase, Chase Technologies, Inc., to identify the similarities and differences in the Belt-Conveyor Scales Code and the OIML standard for belt-conveyor scales. The industry participants in the OWM Technical Workshop of Belt-Conveyor Scales held last May expressed their desire for the OIML standard to be adopted as the U.S. standard. The analysis being done by Paul Chase will be the basis for discussion of possible changes to move the United States closer to the OIML standard.
17. OWM will host another Belt-Conveyor Scale Technical Workshop again this year to address new and remaining issues. This group will also discuss the similarities and differences between the OIML Recommendation and the Belt-Conveyor Scales Code and develop a plan for how to address the differences.
18. For the first time this year, OWM has submitted written positions on a number of issues on the agenda of the S&T Committee. These position statements may be updated following the Interim Meeting and sent to the regional weights and measures associations for consideration in their deliberations on the issues.
19. The Metric Program developed a strategic plan this past year and sent it to a small group of people for review. Their comments have been received and discussed within OWM. The comments from the reviews have helped shape the priorities of the Metric Program for this year. The strategic plan will be updated to incorporate these comments and the updated plan will be available this summer.

20. OWM has begun the review of its strategic plan. The objective is to complete the revision by early summer. We plan to ask the members of our original focus group, the NCWM Board of Directors, Scale Manufacturers Association, Gas Pump Manufacturers Association, and Meter Manufacturers Association to review the revised plan for their comments and recommendations.
21. This spring, Tina Butcher will start a one-year detail in the NIST Program Office. In this detail, she will provide support to the office of the NIST Director regarding NIST budget, programs, legislative actions, and interactions with the Department of Commerce.

OIML

The Board is carefully considering how to best represent its membership in OIML activities. The Board initially believes that it can be most effective at the U.S. Working Group level. The Board will encourage participation by key committee people on the appropriate working groups. Members should be aware that much of the U.S. Working Group work is now done through email. You may contact NIST TSAP through Dr. Ehrlich (301-975-4834) to participate at whatever level (full or corresponding member) you wish.

ASTM

Darryl Brown, IA, will represent the NCWM on the newly formed ASTM Committee F-10 working on standards for Livestock, Meat, and Poultry Evaluating Systems. These systems measure fat content and other parameters that affect the quality and value of the livestock carcasses in addition to the weight.

TSAP

Dr. Ehrlich reported that a vote was taken recently on the 8th draft of the Mutual Acceptance Agreement (MAA). The results were fourteen - yes and eight - no. A 9th draft is now being developed. Dr. Ehrlich suggested that the Conference could participate on the Ad Hoc Review Committee. Please see Appendix A for a report on OIML and other international activities.

Canadian Forum on Trade Measurement

George Shefcheck provided the Board with his report. Gilles Vinet suggested that it would be beneficial to have the S&T Chairman as well as a Board member attend future meetings. The Board allocated travel funds for two people to the next meeting.

107 I Other Items

Metrology Subcommittee

The Metrology Subcommittee submitted a request for \$1,000 for travel to meet with the NIST Management. The Board discussed what role NCWM should play in this meeting. The funding was approved. The Chairman-Elect of NCWM will also attend the meeting.

R. D. Murdock, North Carolina, Chairman

L. Straub, Maryland, Chairman of the NTEP Committee

R. Andersen, New York, Chairman-Elect

T. Geiler, Barnstable, Massachusetts, Treasurer

D. Brown, Iowa

D. Ehrhart, Arizona

M. Gray, Florida

R. McGrath, Boston, Massachusetts

M. Pinagel, Michigan

D. Quinn, Fairbanks Scales

G. Shefcheck, Oregon

Executive Secretary: H. Oppermann, NIST

Advisors:

B. Palys, Executive Director, NCWM Headquarters

G. Vinet, Canada

Board of Directors

Appendix A

Report on the Activities of the International Organization of Legal Metrology (OIML) and Regional Legal Metrology Organizations

Charles D. Ehrlich, Chief
Technical Standards Activities Program
Office of Standards Services, NIST

The Technical Standards Activities Program (TSAP) of the National Institute of Standards and Technology (NIST) is responsible for coordinating U.S. participation in OIML and other international legal metrology organizations. Learn more about OIML at the TSAP website at <http://ts.nist.gov/oiml> or at the OIML website at <http://www.oiml.org> on the Internet. Dr. Ehrlich can be contacted at charles.ehrlich@nist.gov or at 301-975-4834 or by fax at 301-975-5414.

Table of Contents

- I. Report on the 36th Meeting of the International Committee of Legal Metrology
- II. 8th Annual Asia-Pacific Legal Metrology Forum (APLMF)
- III. Inter-American Metrology System (SIM) Legal Metrology Working Group (LMWG) Meeting and Packaging and Labeling Workshop Announced
- IV. 9th Draft of the "Mutual Acceptance Arrangement (MAA) on OIML Type Evaluations"

Reports

I. Report on the 36th Meeting of the International Committee of Legal Metrology (CIML)

Representatives of 47 of the 57 member nations participated in the 36th Annual Meeting of CIML from September 23-29, 2001, in Moscow, Russia. Meetings of the OIML Presidential and Development Councils and a Regional Legal Metrology Forum were also held and are reported on below. Dr. Charles Ehrlich is the CIML Member for the United States

Technical Activities

The Committee adopted the following International Recommendations¹ (R):

R 16 "Non-invasive Sphygmomanometers. Part 1: Mechanical; Part 2: Automated" (revision)

R 133 "Liquid-in-glass Thermometers" (new Recommendation)

R 49-2 "Water Meters (intended for the metering of cold potable water.) Part 2: Test methods" (addition to R 49 that was adopted in 2000)

R 75 "Heat meters. Part 1: General requirements; Part 2: Pattern approval and initial verification tests" (revision)

OIML Presidential Council- September 23-24, 2001

¹ The two categories of OIML publications are Recommendations and Documents that are developed by technical committees comprised of the Member States. **International Recommendations (R)** are model regulations that establish the metrological characteristics required of measuring instruments and specify methods and equipment for checking their conformity; the OIML Member States shall implement these Recommendations to the greatest possible extent. **International Documents (D)** are informative in nature and intended to improve the work of the metrological services.

Dr. Ehrlich attended a meeting of the OIML Presidential Council (Council) attendees were G. Faber (President, International Committee of Legal Metrology, CIML), M. Kochsiek (CIML First Vice President), L. Issaev (CIML Second Vice President), B. Beard (member), A. Johnston (member), C. Li (member), K. Xiaokang (interpreter for C. Li from Peoples Republic of China), B. Athané (Director, BIML), J. F. Magana (Director-elect, BIML), and G.E.M. Anabe

(Chair, OIML Development Council). H. Imai was recently replaced as Japan's CIML member (by M. Tanaka) and so did not attend as a member. Tanaka will likely become a PC member, as will C. Li's replacement.

Relations of the OIML and of the Bureau of International Legal Metrology (BIML), the European Commission (EC), the European Committee for Standardization (CEN), and the European Committee for Electrotechnical Standardization (CENELEC)

At previous CIML meetings Dr. Ehrlich had voiced concern over the way CEN and some European participants had used CENELEC standards to influence the work of some of the OIML Technical Committees. In response to these concerns the relations between OIML and BIML with the EC, CEN, and CENELEC were discussed and the following action plan adopted:

1. The BIML has been directed to:

- prepare a draft modification to the OIML Directives (for Presidential Council and CIML review) to clarify how liaison arrangements will be handled in the future (including due-process issues.)
- draft simplified language in the current Agreements between OIML and CEN/CENELEC to properly reflect the intent to merely provide an avenue for exchange of information between OIML and the committees and subcommittees of those organizations, and

2. Future Agreements (e.g., Memorandums of Understanding and other arrangements) that go beyond a simple exchange of information will require Presidential Council and full CIML involvement from the earliest phases of consideration.

It was decided that draft agreements can be developed and signed by Directors of BIML and other organizations if the Presidential Council and CIML review the process. It was reported that the European Measuring Instruments Directive (MID) will not require the development of separate "OIML Normative Documents." BIML confirmed that OIML Recommendations and other documents are not copyrighted by OIML so they may be freely reproduced and distributed.

Honorary CIML Members Named

Mr. Bernard Athane, immediate past director of BIML, and Mr. John Birch, the previous CIML member from Australia were named Honorary CIML Members.

OIML Development Council

The OIML Development Council acts as an advisory body to the CIML on matters of legal metrology in developing countries. This Council has undertaken to look into possible sources of funding (like the World Bank and United Nations Industrial Development Organization) for legal metrology activities (such as for training, equipment and providing internet access/capabilities in developing countries). It was agreed that, while funding is important, developing a legal metrology infrastructure in these countries is equally vital. It was also agreed that having representation/participation by developing countries in the work of the OIML Technical Committees and Subcommittees (TCs/SCs) was not possible at this time due to limited resources. Representatives from the Regional Legal Metrology Organizations (RLMO) gave reports on activities in their regions so that duplicative efforts could be identified and possibly combined or harmonized. Cesar Luiz de Silva (from INMETRO in Brazil) represented the Sistema Interamericano de Metrologia (SIM) and gave a report on the status/activities of the SIM Legal Metrology Working Group. The Development Council made the following recommendations for consideration and future action:

1. The Council reviewed the working group's terms of reference and recommended that the BIML consult Development Council members to update their composition:

- Switzerland will contribute its experience to Russia in the tasks of Working Group 2 "*Information.*"
 - The Council Chairperson and the BIML were instructed to follow the progress of, and to improve communications between its three Working Groups.
 - The Working Groups were each invited to organize a meeting before the next Council meeting and were asked to take into account the work of RLMOs concerning training, information and equipment in order to avoid overlap in their programs.
2. The Council requested that the Chairperson contact various bodies to explore the possibility of funding to finance legal metrology activities in developing countries, notably the European Commission, the World Bank and the Islamic Development Bank.
3. The Council recommended that its Chairperson and the BIML continue to work with the World Trade Organization and the United Nations Industrial Development Organization on projects concerning legal metrology.
4. The Council called on RLMOs to designate their representatives to form a "Think Tank" under the Development Council. Where no representative is designated, the RLMO Chairperson will be the representative.
5. The Council directed its Chairperson and the BIML to assist Developing Countries in participating in the work of the OIML Technical Committees.
6. The Council requested that CIML Members send recent information to the BIML to regularly update information on the OIML web site concerning experts and training.
7. The Council requested that the BIML continue to develop and expand the OIML web site.
8. The Council underlined the importance of ensuring that Developing Countries have access to the Internet (and therefore e-mail and associated computer technologies).

Regional Legal Metrology Organizations (RLMOs).

On September 25, 2001, Dr. Charles Ehrlich attended a meeting of the Regional Legal Metrology Organizations (RLMOs). While RLMOs are independent of OIML and are thus not bound by OIML rules, it was felt that bringing together representatives from each RLMO could be useful to see what areas of common interest and potential interactions might exist, and how these areas related to OIML. To stimulate discussions a series of questions concerning the role of RLMOs in OIML were prepared by the BIML. John Birch submitted the following questions on this subject: How do RLMOs actually interact with each other? What should be the relationship between RLMOs and the OIML Development Council? Can the RLMOs share training courses/materials?

Representatives from the RLMOs reported on the activities of their organizations. The APLMF representative (Birch) reported that the APLMF meeting in Auckland, New Zealand, would include a focus on the role of the consumer in RLMOs and legal metrology in general. The European Cooperation in Legal Metrology (WELMEC) representative (Seton Bennett, UK) reported that the European Measuring Instruments Directive is dominating European legal metrology activities. The issue of developing countries submitting duplicate funding requests to international organizations of legal metrology activities was also raised by several RLMO representatives, and it was agreed that a more coordinated approach should be considered.

In concluding the meeting it was decided that the representatives from the RLMOs should continue to meet, but that a more formal organizational structure was not warranted at this time. The BIML will prepare a draft paper for review by the CIML on the policy issues involved, including the role of OIML and the BIML in RLMOs, and the ways in which RLMOs can provide inputs to the OIML Technical Committees. One European CIML member expressed the view that the activities of the RLMOs must not be allowed to interfere with the work of OIML.

CIML Meeting

On September 25-27, 2001, Dr. Ehrlich attended the 36th meeting of the International Committee of Legal Metrology (CIML). Mr. Faber opened the meeting by introducing two Russian keynote speakers: Mr. Podofalov, Director of Science (on behalf of the government of the Russian Federation), and by Mr. Voronin, President of Gosstandart (Russian standardization, metrology and certification organization). The necessary quorum of 75 percent was barely met (only 47 out of 57 CIML Members attended). In his opening address Faber raised the issue that his term as President of OIML will be over in two years, and that the search for a successor should begin now so that a good candidate can be identified before the next CIML meeting.

The CIML reviewed the 1999-2002 OIML Action Plan, and its extension to 2003-2004. It was revealed that three countries (Iran, Italy and Kazakhstan) are significantly in arrears of their dues payments and may be "delisted" soon as OIML Member Countries. The BIML director will be doing a thorough analysis of costs of the BIML and will report his findings to the CIML in 2002. The CIML re-elected Attila Szilvassy to the position of senior Assistant Director of the BIML for a five-year term.

During a review of the OIML technical activities of the past year, Dr. Ehrlich was asked to give an update on the development of an OIML Document on the "Role of Uncertainty in Legal Metrology." He reported that considerable progress has been made and that a draft should be available within six months.

The BIML Director made a presentation on the need to make better use of electronic means (e-mail, internet, video conferencing) in the development of OIML technical work but it was pointed out that many developing countries (about 60 percent of OIML membership) do not have adequate and reliable electronic communication capabilities. The idea of developing Internet sites for each of the OIML Technical Committees was discussed along with proposals that templates be created to simplify the drafting and revision of Recommendations.

During a discussion of the new draft of the OIML Certificate System (United States and BIML are co-Secretariats) a desire was expressed by several people for the next version to address "certification of individual instruments", meaning initial verification and production-meets-type issues (component testing is already included in the latest draft). It was also emphasized that the Certificate System and Mutual Acceptance Arrangement (MAA) must be mutually compatible. Dr. Ehrlich gave two viewgraph presentations, one on the status of the 8th Committee Draft (CD) on the MAA, and a second on the status of OIML R87 (Net Content in Packages) and the proposed IQ (International Quantity) mark system. The CIML expressed its appreciation for the considerable improvements introduced in the 8th committee draft. Copies of the presentations are available at <http://www.oiml.org> on the Internet.

An OIML Reception held on Wednesday, September 26, was "dedicated" to a celebration of Bernard Athane, who then retired as Director of the BIML. His successor, Jean-Francois Magana, took over as Director the next day on the floor of the CIML meeting. OIML also made Athane an Honorary CIML Member.

The 2002 CIML meeting will be held in Southern France and the 2003 meeting will be held in Kyoto, Japan. The 2004 CIML meeting, which will be held along with the next quadrennial OIML Conference, will be in Israel or in Germany.

International Workshop on the Future of Legal Metrology

The International Organization of Legal Metrology is organizing a Seminar entitled "What will Legal Metrology be in the year 2020" on September 26-27, 2002 in Saint-Jean-de-Luz, France which is located in the south of that country on the Atlantic Ocean. Simultaneous English-French interpretation will be provided. The aim of this Seminar is to encourage a broad exchange of views between legal metrology authorities and those who are subject to legal metrology requirements. This includes representatives of accreditation organizations and manufacturers, sellers, and users of weighing and measuring instruments and consumers. This exchange will encourage the development of participants' thoughts on the long-term evolution of this field, and will allow them to be better prepared for major developments in legal metrology.

The themes of the Seminar are:

- Role and position of metrology and legal metrology in society and in the economy,

- Developments in the scope of application of legal metrology,
- Consequences of globalization on the organization of legal metrology in the various countries,
- Consequences of technological evolution on the principles and practical application of legal metrology,
- Conclusions: Perspectives for legal metrology authorities, and the roles of international and regional organizations.

The detailed Seminar program will be finalized during the month of March, at which point presenters will be contacted and invited to send the text of their presentation to the BIML for publication of the proceedings. This Seminar is open to all participants. No attendance fees will be charged but space is limited. Participants should obtain additional information from the OIML site at <http://www.oiml.org> on the Internet.

OIML Certificate System

A report on the OIML certificate system was presented and discussed. As of February 1, 2002, the total numbers of Certificates issued for R 76 "Non-Automatic Measuring Instruments" is 400, for R 60 "Metrological Regulation for Load Cells" (1991) is 226, and for R 60 (2000) is 57 as of November 2001. The BIML emphasized the importance of the Secretariats to develop Recommendations for components where possible (e.g., R 49, and R 76). The BIML prepares a notice of certificates issued each quarter in the *OIML Bulletin* and reports annually to CIML members on the status of the System. The report identifies participating member nations with testing laboratories that are issuing authorities.

Activities of OIML Secretariats

This section provides a report on the status of work in OIML Technical Committees (TCs) and Technical Subcommittees (SCs) of specific interest to members of the NCWM, to develop or revise OIML Recommendations (Rs) or Documents (Ds). Also included are reports on recent activities of those groups and schedules of future activities of Secretariats, the U.S. National Working Groups (NWGs), and the International Working Groups (IWGs) of committees and subcommittees.

TC 3 Metrological Control (U.S.)

TC 3/SC 1 Initial and Subsequent Verification (U.S.)

A draft revision of OIML D-1 "Law on Legal Metrology" was prepared by the TSAP staff, based on review of laws and model legislation from the United States, Canada, Australia, Russia and BIML's Director Magana's proposed draft of the law. Following extensive consultation with Mr. Magana, a compromise version of the "Law on Metrology" was developed and submitted to a joint working group (OIML, BIPM and ILAC) for comment. This will be discussed at a joint meeting of the participants to be held in February 2002.

TC 3/SC 2 Metrological Supervision (Czech Republic)

A first draft revision of OIML Document 9 "Principles of Metrological Supervision" was distributed by the Secretariat for review and comment. The current edition of this document, which was published in 1984, contains a survey of the various principles that can be used to establish, organize, and manage legal metrology systems. Its purpose is to create the basis for international harmonization and to assist developing countries in the establishment of formal legal metrology programs. Several members of the NCWM assisted TSAP in reviewing and commenting on the draft. Updates on this project will be provided when future drafts of D 9 are received from the Secretariat.

TC 5 Electronic Instruments (Netherlands)

TC 5/SC 1 Electronic Instruments (Netherlands)

The U.S. National Working Group on OIML Technical Committee 9 (TC 9) submitted comments to the Netherlands on the proposed revisions to D 11 "General Requirements for Electronic Measuring Instruments." The Netherlands is the OIML Secretariat responsible for this project. OIML D 11 specifies the general metrological and technical characteristics that must be met by electronic scales and metering devices undergoing type evaluation. It provides details on how the relevant examinations and tests are conducted and its requirements are based on those in other international standards. Some of the influence factors examined under this document are high and low temperature, humidity, power voltage

variation, and electrostatic discharge. OIML Technical Committees use this document as a reference in developing new and revised Recommendations. Dr. Ambler Thompson of TSAP coordinated the development of the U.S. comments and position on D 11. This document impacts all of the OIML Recommendations on weighing and measuring instruments including those relating to devices for breath analyzers and pollution test equipment. For more information on this activity, contact Dr. Thompson at ambler@nist.gov or in writing at:

Dr. Ambler Thompson
NIST Technical Standards Activities Program
NIST North (820) Room 248
100 Bureau Drive, Stop 2150
Gaithersburg, MD 20899-2150
Tel: 301-975-2333 Fax: 301-975-5414

TC 6 Prepackaged Products

A second CD revision of R 87 was distributed to the International Working Group for TC 6 in December 2000 and we received more than 500 comments and suggested changes. Because of the substantive nature of the comments, we will prepare a 3rd CD that will represent a significant revision over the 2nd Draft. TSAP will prepare a 3rd Draft and distribute it to the International Working Group in the fall of 2001. One significant change will be removal of the provisions for the establishment of an International Quantity Mark (IQ Mark) that were in the 2nd CD of R 87. The development of an OIML IQ Mark for packages will be made a separate project under TC 6 and will begin after a revision to R 87 has been completed.

TC 8 Instruments for Measuring Quantities of Fluids (Switzerland)

TC 8/SC 3 "Measuring Instruments for Liquids other than Water." (Germany)

OIML R117 "Measuring Instruments for Liquids other than Water" is planned for an extensive revision -- incorporating new instrument technologies and merging the document with other OIML recommendations (R 86 and R 105). The Netherlands (NMI) has started the work required to accomplish this task as the convener of the IWG TC8/SC3/WG2 "Revision of R 117." The United States is making significant contributions on this revision as both a participating member on WG2 and as the convener of the working group tasked with merging R 117 and R 105.

In March 2001, Germany published the results of a questionnaire that was sent out to the international members of TC8/SC3 concerning the revision of R 86 "Drum Meters for Alcohol and their Supplementary Devices." These are volumetric meters with several movable measuring chambers, for the measurement of pure ethanol and mixtures of ethanol and water. The questionnaire found that only six Member States (Austria, Czech Republic, Germany, France, Romania, and Slovakia) currently use this technology. Based on the questionnaire responses, Germany has decided to combine R 86 with R 117 and then withdraw R 86. The Netherlands, Convener of TC8/SC3/WG2, has been tasked with this project as part of their task of revising R117.

TC 8/SC 4 "Dynamic Mass Measurements (Liquids other than Water)" (U.S.)

TSAP is working on the merger of OIML R 105 "Direct Mass Flow Measuring Systems for Quantities of Liquids" (for which the United States is the Secretariat) with OIML R 117 "Measuring Systems for Liquids other than Water" (for which Germany is the Secretariat). The United States is the convener of the international working group TC 8/SC 4/WG 1 named "Combination R 105/R 117." This is a major project for OIML, and TSAP is working with the U.S. National Working Group on flowmeters and the Netherlands (convener of the work group tasked with revising R 117) on this effort. Meetings of the U.S. National Working Group on flowmeters were held in July 2001 at the NCWM Annual Meeting, in September 2001 in conjunction with the NTEP Measuring Sector in Lexington, Kentucky, and at the NCWM Interim Meeting in January 2002.

TC8/SC5 "Water Meters" (United Kingdom)

CIML approved a revision of R 49 for "mechanical and electronic" water meters in October 1999. Following that adoption subsequent meetings of TC 8/SC 5/WG 2 were held to develop a test procedure and test report format. Meetings

were held in November 1999 at NIST, February 2000 in Paris, and May 2000 in Copenhagen. The WG 2 presented an advanced working draft to OIML TC 8/SC 5 at another meeting in November 2000 in Paris. The Draft was approved by OIML TC 8/SC 5 and was distributed to the CIML members for ballot. TSAP voted “yes” to OIML TC 8/SC 5s proposed amendment to OIML R 49-1 *Water Meters Intended for the Metering of Cold Potable Water Part 1: Metrological Requirements* to update the referenced standards for disturbance and influence factor testing. TSAP voted “no” on a CIML ballot to adopt a proposed recommendation OIML R 49-2 *Water Meters Intended for the Metering of Cold Potable Water Part 2: Test Methods*. The negative ballot resulted from the addition of a series of unnecessary tests which would increase the cost of having meters tested, as well as a failure to follow a committee ballot to delay the CIML submission until 2002. The CIML approved OIML R 49-2 at its Annual Meeting in Moscow, Russia in September 2001. A subsequent meeting of TC 8/SC 5 held in Brussels, Belgium in October 2001 involved discussions of the changes required in the OIML R 49-1 document to make it consistent with R 49-2. A working group was appointed to make recommendations to OIML TC 8/SC 5 for balloting.

TC8/SC7 “Gas Metering” (Belgium and France)

An IWG meeting was held in Brussels in March 2001 to discuss a 2nd CD draft OIML Recommendation “Measuring Systems for Gaseous Fuel” to include natural and compressed natural gas. The meeting focused on discussion of comments on the 2nd CD draft Recommendation. A second meeting of the IWG focused on a 2nd CD Recommendation “Measuring Systems for Compressed Natural Gas (CNG) for Vehicles” and annexes covering performance tests for electronic devices and basic test procedures.

TC 8/SC 8 “Gas Meters” (Netherlands)

The Secretariat has sent the members of the committee a letter with the results of a questionnaire asking for comments to guide the initiation of a work program to revise R 6 “General provisions for gas volume meters,” R 31 “Diaphragm Gas Meters” and R 32 “Rotary Piston Gas Meters and Turbine Gas Meters.” A small majority of members voted to produce one new recommendation for gas meters, independent of the physical principle that will replace R 6, R 31 and R 32. The Secretariat reported that they would develop an initial draft. The new document, according to the Secretariat, may consist of a general chapter mainly consisting of R 6 and those aspects in common with R 31 and R 32 and separate chapters on household and industrial gas meters. The U.S. NWG provided comments and will participate in the development of the new Recommendation.

TC 9 Instruments for Measuring Mass and Density (U.S.)

OIML Certificates for Components

In response to a request from the NWG, TSAP prepared a Working Draft of a Recommendation on “Digital Indicators for Weighing Instruments.” This draft was distributed to the U.S. National Working Group for TC 9 for review and comment in October 2001. If you would like to participate in the review of this draft please contact TSAP.

TC 9 OIML Recommendation 74 “Electronic Weighing Instruments” (U.S.)

A 1st Committee Draft revision of the 1993 edition of OIML R 74 “Electronic Weighing Instruments” was distributed to the International Working Group in the fall of 2000. The purpose of this work is to update R 74 to reflect changes in International Electrotechnical Commission (IEC) standards and to ensure it is revised concurrently with OIML D 11 “General Requirements for Electronic Measuring Instruments.” According to comments received on the first draft, a majority of the participating members of TC 9 supported the proposed revisions. However, several comments stated that R 74 should be withdrawn since D 11 is being updated and will be much more useful to the Technical Committees than R 74. The U.S. National Working Group has developed a second draft incorporating the technical changes suggested in the previous draft. It is expected that the second draft will be distributed to the international working group in 2002. Copies of the most recent draft revision of R 74 are available from TSAP.

TC 9/SC 1 “Nonautomatic Weighing Instruments” (Germany and France)

On February 4, 1999, a U.S. NWG meeting was held. The group discussed items that should be addressed when R 76 is revised. In April 2000, TSAP contacted the TC 9/SC 1 Secretariats requesting information on any plans to begin the

revision process or to call an IWG meeting and request a joint meeting of TC 9 to discuss issues with R 60 “Load Cells” and R 76 in 2000. On November 3, 2000, TSAP was advised by the German and French co-secretariats that they have decided to develop a second amendment to the existing OIML R 76 rather than initiate a complete revision of the document. According to the co-secretariats, this decision was based on a review of the comments received from the U.S. TC 9 Working Group and the Committee of European Constructors of Weighing Instruments (CECIP). Germany and France believe an amendment is the best approach, as they believe the suggested changes are editorial or minor technical issues. In the spring of 2001 the co-secretariats announced that they would update references to new international EMC standards with help from the TC 5/SC 1 Secretariat for OIML D 11 and will also harmonize R 76 with R 60-2000. A suggestion to use requirements from R 76 for certain type of instruments covered by R 51 “*Automatic Catchweighing Instruments*” was sent to the Secretariat for that Recommendation. Other issues to be addressed in the development of the amendment will be to consider the modular approach (especially for indicators) to type evaluation and to propose guidelines for the subsequent verification and in-service inspection (quantity of standard-weights, list of tests) of instruments. The co-secretariats have not finalized a timetable for this project and no meeting of TC 9/SC 1 has been announced.

TC 9/SC 2 “Automatic Weighing Instruments” (United Kingdom)

The United States voted “no” on a CIML ballot to adopt a proposed OIML Recommendation on *Automatic Instruments for Weighing Road Vehicles in Motion – Part A: Total Vehicle Weight*. The draft Recommendation specified requirements for highway weight enforcement scales used to obtain a total vehicle weight of trucks while they are in motion. The negative ballot resulted from the failure of the Secretariat to accept several U.S. comments regarding the technical accuracy of the terminology used in the proposed standard and from the United States not supporting the adoption of an incomplete OIML Recommendation. A meeting of the International Working Group was held at the United Kingdom’s National Weights and Measures Laboratory in Teddington, England in November 2001. At the meeting it was agreed that a Part B should be developed as a stand-alone Recommendation to apply to both total vehicle weighing (incorporating the requirements from Part A) and axle load determinations. In adopting this approach it was understood that Part B would eventually supersede Part A, as the requirements for total vehicle weighing will be duplicated. Upon completion of Part B a decision will be made as to whether Part A should be withdrawn and Part B issued as a new Recommendation or, alternatively, whether Part B should be issued as a revision to Part A, i.e. as a second edition. In January TSAP received the first committee draft Recommendation “Automatic Instruments for Weighing Road Vehicles in Motion” - “Part B - Axle Loads” that was prepared by the OIML Secretariat in the United Kingdom. If you would like to participate in the review of this draft Recommendation please contact TSAP.

TC 9/SC 3 “Weights” (U.S.)

A draft of OIML Recommendation R 111 “Weights...” was distributed in December to an international group of metrology experts to review prior to sending it to the CIML for adoption in 2002. TSAP has been working on the revision of this publication for more than 18 months and has been working closely with Dr. Michael Glaser of PTB in Germany and Dr. Richard Davis. Adoption of a new edition of this Recommendation is a high priority for OIML as it is considered one of the most basic and important set of requirements that member states can adopt as a foundation for their laws on metrology. The International Working Group on TC 9/SC 3 agreed that OIML R 52 “Hexagonal Weights” will not be withdrawn since its requirements may still be used in some developing countries. An updated edition of R 52 will be prepared and submitted for publication after the work on R 111 is complete.

OIML R 33 “Conventional Value of the Result of Weighing in Air” (U.S.)

At a May 1998 meeting on R 111, a Working Group composed of representatives from Germany, France, and the United States was formed to review, revise, and draft an International Document based on the OIML Recommendation, R 33 “Conventional Value of the Result of Weighing in Air.” A 2nd CD was prepared and sent to the International Working Group for TC 9/SC 3 in June 2001. A draft recommendation will be sent to CIML for adoption in 2002.

OIML R 59 “Moisture Meters for Cereal Grains and Oilseeds” (TC17/SC1)

In February 2001, the 1st Committee Draft Revision of OIML R 59 “Moisture Meters for Cereal Grains and Oilseeds” was received from the Peoples Republic of China. China is the Secretariat of OIML TC 17/SC 1 “Humidity” which is responsible for R 59 and other Recommendations relating to moisture measurement. The current edition of R 59 was

developed in the 1980s and includes technical and metrological requirements for both automatic and manual meters. A U.S. National Working Group was formed to review the draft revision of R 59 and actively participate in the revision of this important Recommendation, and comments were sent to the Secretariat in the spring of 2001. In June 2001 Dr. Ambler Thompson and Dr. David Funk of the U.S. Department of Agriculture's Grain Inspection and Packers and Stockyard Administration attended a meeting of TC17/SC1 held in Berlin, Germany. The subject of the meeting was the revision of OIML Recommendation 59. TSAP had submitted comments to the Peoples Republic of China that holds the OIML Secretariat for this Recommendation and these constituted the basis for the meeting and its discussions. Dr. Thompson presented U.S. proposals to clarify the scope and general direction that the revision process should take and highlighted the need to recognize new technologies and tolerances for these instruments. Another issue is the need to separate the reference moisture method, usually defined by the national responsible authority, from the qualification of instruments since there is no global agreement for a global reference moisture determination test method. These proposals were well received in particular by France, China, and Germany. The Chairman of the meeting asked the United States to prepare an OIML draft based on the National Conference on Weights and Measures National Type Evaluation Program (NTEP) for review by an International Working Group (IWG) composed of France, Germany, Poland, China and the United States. Dr. Thompson agreed to this and will consult with the NTEP Grain Sector and forward copies of the U.S. documents to the IWG. Please contact TSAP if you would like to participate in this working group.

II. 8th Annual Asia-Pacific Legal Metrology Forum (APLMF)

During November 13-15, Dr. Charles Ehrlich served as Head of Delegation to the 8th Annual Meeting of the APLMF held in Auckland, New Zealand. Mr. Louis Straub, Chief, Weights and Measures, Maryland Department of Agriculture also attended as a guest of NIST. Mr. Straub also serves as the Chairman of the National Conference on Weights and Measures (NCWM) National Type Evaluation Program (NTEP). Seventy-six participants (members and observers) representing nineteen economies attended the meeting. Dr. Ehrlich and Mr. Straub participated in the Forum's working group meetings on mutual recognition agreements, training, rice moisture measurement, intercomparisons, calibration and testing, utility meters and goods packed by measure.

During a session on mutual recognition agreements Dr. Ehrlich gave a presentation on the 8th Draft "Framework for a Mutual Acceptance Arrangement (MAA) on OIML Type Evaluations" under development in OIML Technical Committee 3 (Metrological Control), Subcommittee 5 (Conformity Assessment), of which the United States is Secretariat. Based on his presentation and subsequent discussions, the APLMF decided to continue to support the OIML work and not develop a regional MAA. At the session, Dr. Judith Bennett (Executive Director, National Standards Commission, Australia) announced that Australia has established bilateral arrangements for the mutual acceptance of test reports for non-automatic weighing instruments (NAWIs), load cells, and fuel dispensers with the UK and the Netherlands. A similar agreement with New Zealand on NAWIs was signed at the meeting. Among the highlights at the 8th APLMF Meeting was a presentation entitled "Consumer Involvement in Legal Metrology" by Lesley Harwood, Advisor on Consumer Representation, Ministry of Consumer Affairs of New Zealand. Dr. Harwood gave an overview of the advantages of involving representatives of consumer organizations on government advisory committees that have been widely recognized and discussed the difficulty in getting this involvement (such as travel costs and lost wages). Unfortunately, no easy answers were provided. Dr. Harwood's findings reflect the U.S. experience with weak consumer involvement in the NCWM. Her research report will be available early next year.

Another highlight of the APLMF meeting was the transfer of the Secretariat of the APLMF to Japan. The President of APLMF is now Dr. Akira Ooiwa who is Director of the Mechanical Metrology Division at the National Metrology Institute of Japan. The 2002 APLMF meeting will be held in Ho Chi Minh City, Vietnam. The 2003 APLMF meeting will be held in Kyoto, Japan in conjunction with that year's meeting of the International Committee of Legal Metrology (CIML). A complete report is available upon request.

III. Inter-American Metrology System (SIM) Legal Metrology Working Group (LMWG) Meeting and Packaging and Labeling Workshop

TSAP, the Office of Weights and Measures, and the Global Standards and Information Program (GSIP) worked with Mr. Cesar Luis da Silva, Chairman of the Legal Metrology Working Group (LMWG) of SIM to present a two-day Interamerican Workshop on Packaging and Labeling in Miami on December 9-10, 2002. More than 50 participants from

the Americas and Europe attended the workshop and shared a wide variety of information on labeling requirements and packaging experiences.

The three offices cooperated to develop a labeling requirements survey for workshop. The Spanish language Survey of Labeling Requirements was distributed to SIM member states and a wide variety of responses were received. Among the information collected were the various requirements of the member states for declaring the net quantity, identity, and responsibility on packages intended for consumers. The first draft of the survey was discussed at the meeting and additional efforts will be made to ensure all of the information is up to date and complete so that the survey results can be posted on the SIM web site.

One of the significant issues discussed at the meeting involved the use of the comma and the period as decimal markers in net quantity declarations. Some countries, including the United States, want to permit either to be used so that manufacturers do not have to maintain different packaging for each market, but many countries want to permit only the comma to be used as the decimal marker. The pros and cons of each approach were exhaustively discussed but no agreement could be obtained. One position was that the comma is specified as the decimal marker in SI; therefore, it isn't necessary to discuss this point, since the LMWG recommends that the SI system of measurement be used. Another comment was that a recent discussion at BIPM indicated that the decimal point might be recognized there as the preferred symbol as the decimal marker (for English language publications). Another comment reported that both the comma and the period are in use and should be allowed, since to reject package labels on this one point would disrupt trade. One participant suggested that the LMWG could not recognize both the comma and the period because it would be inconsistent with the recommendation to use SI. Mr. J. F. Magana, Director of International Bureau of Legal Metrology (BIML) reported that Europe encourages the use of SI, but understands that flexibility is needed. He stated that the International Bureau of Weights and Measures (BIPM) suggest that both the comma and the period be accepted as decimal markers. Further efforts to resolve this issue will be made at future meetings of the LMWG. The SIM Legal Metrology Working Group held a meeting immediately following the workshop and issued the following resolutions and decisions:

Packaging and Labeling

The LMWG agreed to:

- encourage each OIML member country to adopt international Recommendations OIML R 79 and R 87 and collaborate in their revision. The LMWG encouraged OIML to consider procedures for small lot sizes and packages with low counts.
- recommend that information required on package labels be in the language of the country in which the product is sold.
- simplify the net content statement on packages. For example, only the measurement units that are relevant to the consuming market need to be translated into that country's language.
- encourage exclusive use of the SI System for package labeling.
- ask SIM for financial support to develop and provide training programs on labeling subjects (e.g., metrication, net content testing procedures and labeling requirements of OIML R 87 and OIML R 79).
- recommend that a project be undertaken to identify and suggest standardization of reference temperatures used to determine the net quantity of contents of liquids in the Americas.
- request that SIM create a database containing each country's legal metrology regulations (e.g., labeling, net contents testing, contact information, etc.) and that it be made available on the Internet.
- solicit, update, correct and complete the P&L survey responses of each country in their region so the survey can be posted on the SIM web site. This work should be finalized by March 1, 2002.

Other Items

The LMWG also agreed to:

- request that SIM create a list server for discussion of issues on the SIM website for the LMWG to exchange information, establish priorities for harmonization, and other purposes.
- establish an ongoing forum for industry to bring labeling issues and problems to the SIM LMWG for discussion and possible resolution (e.g., harmonization of requirements or ensuring full disclosure). SIM LMWG representatives will coordinate through e-mail or personal contacts to develop the issues and bring the information to the Group for further discussion and resolution. It was also agreed that the sub regions of SIM implement the above resolutions on a local basis.

IV. 9th Draft of the “Mutual Acceptance Arrangement (MAA) on OIML Type Evaluations”

A 9th Draft of the MAA is being prepared based on the voting results and comments received on the 8th Draft. The 8th Draft of the MAA was based on comments received from members of OIML TC3/SC5 on the 7th Draft and discussion at the OIML Presidential Council meeting in February 2001, and feedback received from the NCWM NTEP Committee on the MAA Issue Paper presented to the NCWM in 2001 concerning the acceptability of on-site visits (audits) of NTEP Laboratories. The significant modifications to the 7th Draft that were incorporated into the 8th Draft are: (1) the term “self assessment” has been deleted, replaced by “peer assessment,” (2) an option for interlaboratory comparisons as a means of demonstrating competence of a testing laboratory is added, (3) clarification of the definitions of “issuing authority” and “national responsible body” are made, along with clarification of responsibilities and signatories to a “declaration of mutual confidence,” and (4) the composition and roles of an “ad hoc committee on participation review” are established. Several comments on the 8th Draft objected to the interlaboratory comparisons as a stand-alone option so it will be incorporated into the “peer assessment” option in the 9th Draft. As part of the proposed MAA, countries will have to sign Declarations of Mutual Confidence to indicate that they will accept test data from other countries. The issue of who will sign the Declaration of Mutual Confidence on behalf of the type evaluation issuing authority within a country will be addressed in the 9th Draft, as well as the assessment requirements to be placed on issuing authorities. The MAA is of special interest to the NCWM because the Board of Directors is currently negotiating a bilateral agreement to exchange test data on type evaluations with Germany’s PTB.